



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 5, 2004

ITEM NUMBER:

SUBJECT: MARINA VIEW PARK SECURITY LIGHTING, 1035 W. 19TH STREET - CITY PROJECT NO. 03-27

DATE: DECEMBER 9, 2003

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: WILLIAM J. MORRIS/DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, (714) 754-5343

RECOMMENDATION:

1. Approve Budget Adjustment No. 04-024 (Attachment 1) in the amount of \$46,180.
2. Reject the non-responsive bids from Pro Tech Engineering, Corp. and Rafat H. Mina d.b.a. Y&M Construction.
3. Award a construction contract to RMF Contracting, Inc. d.b.a. R&M Electrical Contracting, 22541 Aspan Street, Suite C, Lake Forest, CA 92630, in the amount of \$56,225 (base bid only).
4. Authorize the Mayor and the Deputy City Clerk to execute the Public Works Agreement.

BACKGROUND:

Marina View Park, located at 1035 W. 19th Street, is a 2.50-acre neighborhood park near the Santa Ana River. The neighborhood has voiced concerns about the lack of security lighting in the park and unlawful activity that is occurring in the park after dark. In response to these concerns, the Neighborhood Watch Program requested that a low-level security lighting system be installed in the park to provide park neighbors a higher comfort level and to deter illegal nighttime activity.

The scope of work consists of the installation of new area light fixtures, reconstruction of the electrical service, and all other pertinent and incidental work required to complete the project.

ANALYSIS:

The Deputy City Clerk received and opened five bids for this project on November 10, 2003. The apparent low bidder, Pro Tech Engineering, Corp. (PTEC), and Rafat H. Mina d.b.a. Y&M Construction (Y&M) submitted non-responsive bids. PTEC submitted a proposal that contained major errors and omissions such as incorrect unit prices, the failure to write the total amount, the corporate seal not affixed, and Addendum No. 2 not acknowledged. Y&M's proposal also contained the wrong unit prices and the bid bond was not executed by the principal. It is for these reasons staff recommends that the non-responsive bids from PTEC and Y&M be rejected due to irreparable errors. The City Council has the option to waive minor irregularities in contractors' bids. However, in this specific case, the bids included erroneous unit prices, which is considered a major irregularity because it is the basis for determining the ranking of contractors.

Rejecting the bid from the apparent low bidder would establish an award to the next low bidder, RMF Contracting, Inc. d.b.a. R&M Electrical Contracting, with a total base bid proposal of \$56,225. The Engineer's base bid estimate was \$56,900; and the average of the properly submitted base bids received amounted to \$69,270.33. The bid abstract is included as "Attachment 2."

In addition to the base bid, the bid solicitation also included one additive bid item to construct a three-foot high block wall fence on both sides of the electrical service enclosure and in alignment with the existing wood fence. This item was to be added if sufficient funding was available. At the present time, there is insufficient funding for the additive bid item.

The license and references of RMF Contracting, Inc. d.b.a. R&M Electrical Contracting were checked and staff has found them to be in good standing.

ALTERNATIVES CONSIDERED:

The alternative to this Council action would be not to approve the budget adjustment and reject all the bids. If all the bids are rejected, the City would have to readvertise or cancel the project. Staff believes that readvertising the project will not result in lower bids.

FISCAL REVIEW:

City Council approved funding of \$25,000 for the installation of security lighting at Marina View Park in the FY 2002-2003 Capital Improvement Budget. A total of \$5,647 has been spent out of this account of which \$5,300 was for design and engineering services. However, additional funding is needed to install the security lighting in accordance with input received at the community meeting of March 18, 2003.

The proposed Budget Adjustment No. 04-024 (Attachment 1) will transfer the remaining funds from the recently completed Mesa Verde Park Picnic Shelter project to the Marina View Park Security Lighting project.

The purchase requisition for this expenditure (Attachment 3) has been approved by the Finance Department acknowledging the availability of the funds.

LEGAL REVIEW:

The recommended actions have been reviewed and determined by the City Attorney's office to be in compliance with current laws and regulations.

RMF Contracting, Inc. d.b.a. R&M Electrical Contracting has furnished the necessary bonds and insurance, which have been approved as to form by the City Attorney's office. After the award and subsequent execution of the contract, a "Notice to Proceed" will be issued.

CONCLUSION:

It is recommended that the City Council approve Budget Adjustment No. 04-024 in the amount of \$46,180; reject the non-responsive bids from Pro Tech Engineering, Corp. and Rafat H. Mina d.b.a. Y&M Construction; award the contract to RMF Contracting, Inc. d.b.a. R&M Electrical Contracting in the amount of \$56,225; and authorize the Mayor and the Deputy City Clerk to execute the Public Works Agreement.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

MARC R. PUCKETT
Director of Finance

DISTRIBUTION: City Manager
 Acting City Attorney
 Deputy City Clerk
 Staff
 File

ATTACHMENTS: "1" [Budget Adjustment No. 04-024](#)
 "2" [Bid Abstract](#)
 "3" [Purchase Requisition](#)

File Name Award MVP Security Lighting Date 12-09-03
Report

Time 4:25 p.m.